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Remarks

Applicant has amended claims 42 and 74 to overcome the Examiner's formal objections.

With respect to prior art, the Examiner has rejected all claims based on Lawlor U.S. Patent 5,220,501 as a primary reference. It is the Examiner's view that claims 42 and 74 read upon Lawlor's disclosure that periodic payments can be generated from a single authorization of a payor identifying an amount and a time period between the payments.

The Lawlor disclosure identified by the Examiner involves the initial intervention of a payor to deliver the amount and time period, i.e. the payor delivers "bill data" to the Lawlor system. In contrast, claim 42 recites that "bill data" is "electronically delivered from [the] payee to the bill paying system", not from the payor to the bill paying system, and claim 74 is similar.

The Examiner apparently recognizes this distinction, but notes that claims 42 and 74 "do not specifically recite 'directly' receiving the bill data from the payee", suggesting that the Examiner considers the delivery of bill data by the payor to be an "indirect" delivery of bill data from the payee.

In response to this interpretation of the language of claims 42 and 74, Applicant has made an amendment to those claims to clarify that the payor is not involved in the delivery of the bill data from the payee; specifically, claim 42 recites the bill data is "electronically delivered from said payee to the bill paying system without payor intervention", and claim 74 is similar. Applicant submits that, with this clarification, delivery of bill data by the payor is not within the scope of what is claimed,

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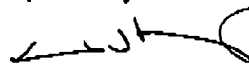
as it involves payor intervention (although indirect delivery by other electronic or human intermediaries remains within the scope of what is claimed).

Applicant notes that the cited disclosure from Lawlor clearly does not suggest a bill payment system of the type claimed, in which bill data delivery, and a payment at a computed date of transfer are all achieved without involvement of the payor. This is a substantial enhancement to the prior art in the freedom it provides to payors; simply put, no intervention is needed to make sure bill payments are made on time.

Applicant disagrees with the Examiner's rejection of dependent claims based upon Lawlor, but for the purpose of brevity those remarks will be omitted. The allowability of independent claims 42 and 74 renders all of the remaining claims allowable.

A petition for a three month extension of time and Deposit Account authorization is included on the transmittal of this response. If, however, any charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



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